IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH.

C.W.P. No. 15807 of 2006

Date of Decision: September 29, 2006

Bimal Devi

…..Petitioner

Vs.

State of Haryana and others

…..Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR.

HON'BLE MR. JUSTICE M.M.S. BEDI.

Present:- Mr. Vivek Singla, Advocate
for the petitioner.

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M.M. KUMAR, J. (ORAL)

The petitioner was ordered to be transferred vide order dated July 25, 2006 (P-4) which was not given effect to on the basis of a later order passed on August 10, 2006 on the representation made by the petitioner. However, the petitioner has now been relieved vide order dated September 26, 2006 (P-7) and the transfer order dated July 25, 2006 (P-4) has been revived. The grievance made by the petitioner is that she suffers from Arthritis and is handicapped to the extent of 70%. To that effect three

medical certificates annexures P-1, P-2 and P-3 have been placed on the record. However, the petitioner has not brought the aforementioned factual position to the notice of respondents No.2 and 3 by disclosing that the transfer order in fact violates the policy instructions of the Government dated April 7, 1989 (P-8).

Therefore, we deem it just and appropriate to relegate the petitioner to the remedy of making representation pointing out all the violations of the transfer policy to respondents No.2 and 3. If any such representation under Registered A.D. is made to respondents No.2 and 3 within two weeks, the same shall be decided by them in accordance with law within four weeks of its receipt.

The writ petition stands disposed of in the above terms.

(M.M.KUMAR)
JUDGE

September 29, 2006
sanjay

(M.M.S.BEDI)
JUDGE